

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, AUGUST 6, 1996
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:05 a.m. The meeting was recessed by Mayor Golding at 10:07 a.m. to convene the Redevelopment Agency. The regular meeting was reconvened by Mayor Golding at 10:08 a.m. with all Council Members present.

Mayor Golding announced that the September 3, 1996, meeting will be canceled. This cancellation was the request of the Council Members.

Mayor Golding announced that the Republican Convention will be starting next week. She has worked with the City Manager, the Police Chief, the FBI, and the Secret Service to ensure the safety and security of the the residents of San Diego and the visitors. She asked the Council Members to pass out cards her staff printed up regarding "bomb threat awareness." Mayor Golding also mentioned that CNN will be broadcasting from San Diego, and there will be a number of pieces running in newspapers and on television about San Diego. Mayor Golding said the agencies in San Diego have been working very hard to make us proud. Mayor Golding adjourned the meeting at 11:28 a.m., to the next regular City Council meeting on Monday, September 9, 1996, at 2:00 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present

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- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (lh)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: NONE

PUBLIC COMMENT:
None.

COUNCIL COMMENT:
None.

ITEM-105:

SUBJECT: San Diego Jack Murphy Stadium Expansion.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-157 Cor. Copy) ADOPTED AS RESOLUTION R-287754

Authorizing the transfer and expenditure of funds to facilitate work on the Stadium Expansion Project, as follows:

Authorizing the transfer and appropriation of \$550,000 from Fund No. 10330, Stadium Operations, to Fund No. 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, on the identification of such funding source and the confirmation of such funding source by the City Auditor and Comptroller furnishing a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of an amount not to exceed \$500,000 from Fund No. 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, for the Stadium design/build contract with Nielsen-Dillingham for design work on improvements to San Diego Jack Murphy Stadium with the expenditure to be reimbursed to Fund No. 10332 from funds in the Stadium and Training Facility Construction Fund No. 92510 upon the receipt of bond proceeds, on the identification of such funding source and the confirmation of such funding source by the City Auditor and Comptroller furnishing a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of \$50,000 from Fund No. 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, for the payment of permits, fees and related costs on the identification of such funding source and the confirmation of such funding source by the City Auditor and Comptroller furnishing a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The expansion of San Diego Jack Murphy Stadium is a priority of the City's that has been delayed due to legal challenges to the use of lease-revenue bonds that is the contemplated fund source for the project. In order to keep the project proceeding such that completion by the 1998 Super Bowl is accomplished, the City Council previously authorized borrowing funds from Balboa Park/Mission Bay Park Improvements and the Trolley Reserve Fund for use on the Stadium Expansion Project until the bonds for the Stadium project can be issued.

FILE LOCATION: MEET (61 Stadium)

COUNCIL ACTION: (Tape location: A039-095.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Two actions related to San Diego Jack Murphy Stadium
Expansion and Related Improvements - Interim Funding.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-97-45) CONTINUED TO SEPTEMBER 10, 1996

Introduction of an Ordinance authorizing a seven-year term loan agreement with Sumitomo Bank, Limited, to provide for the construction, acquisition, installation, improvement, and expansion of the Practice Facility and the San Diego Jack Murphy Stadium.

NOTE: 6 votes required pursuant to Section 99 of
the City Charter.

Subitem-B: (O-97-47) INTRODUCED, TO BE ADOPTED
SEPTEMBER 9, 1996

Introduction of an Ordinance requiring for-profit special events to make a ticket payment of \$.75 for each admission

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ticket sold through January 31, 1997, and \$1.50 for each admission ticket sold thereafter and deposit the proceeds into the Stadium Fund to pay for Stadium improvements.

FILE LOCATION: Subitems A,B: NONE

COUNCIL ACTION: (Tape location: A008-019; A039-095;
A109-140)

CONSENT MOTION BY McCARTY TO CONTINUE SUBITEM A TO SEPTEMBER 10, 1996, AS REQUESTED BY MAYOR GOLDING TO GIVE ATTORNEYS A CHANCE TO WORK ON THE LANGUAGE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO INTRODUCE SUBITEM B AND MOVE FORWARD WITH THE PREPARATIONS FOR THE STADIUM EXPANSION. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: San Diego Chargers Training Facility.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-154 Cor. Copy) ADOPTED AS RESOLUTION R-287755

Accepting the low bid of Douglas E. Barnhart, Inc., (San Diego, CA), for an amount of \$8,229,911 for the construction of the San Diego Chargers Training Facility - Phase II;

Authorizing the City Manager to execute a Phased Agreement with Douglas E. Barnhart, Inc., and further the appropriation and expenditure of \$8,735,260 from Fund 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, for the construction of the San Diego Chargers Training Facility - Phase II, and the necessary furnishings, fixtures

and equipment, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the appropriation and expenditure of \$551,000 from Fund 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, for the undergrounding of utilities at the San Diego Chargers Training Facility site by San Diego Gas & Electric, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the transfer, appropriation and expenditure of \$1,000,000 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Fund 102244, to the Stadium Fund 10332, CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, to provide interim funding for Phase II construction of the Chargers Training Facility, with the transfer to be repaid upon the availability of bond proceeds or loan proceeds.

CITY MANAGER SUPPORTING INFORMATION:

On May 15, 1995, the City Council authorized and subsequently adopted an ordinance for the 1995 Agreement for the Partial Use and Occupancy of the San Diego Jack Murphy Stadium between the Chargers Football Company and the City (the "1995 Agreement"). The 1995 Agreement provides for \$60,000,000 in Stadium and related improvements, including the construction of a Training Facility and Practice Field. The San Diego Chargers Training Facility will include administrative, player relations and ticket facilities, a weight room, auditorium, steam rooms, locker rooms, staff lounges, conference room and media rooms. Phase I included the site work (practice fields, building pads, etc.) which has been completed. Phase II includes construction of the building, landscaping, and all remaining work. Douglas E. Barnhart, Inc. is being recommended to construct the Training Facility and Practice Field (Phase II) based on being the low bid for the project, for an amount not to exceed \$8,229,911. Council action is requested to accept Douglas E. Barnhart, Inc. as the low bid and to authorize the appropriation and expenditure of \$8,735,260. Aud. Cert. 9700150.

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FILE LOCATION: CONT - Douglas E. Barnhart, Inc., San
Diego, CA CONFY97-1

COUNCIL ACTION: (Tape location: A039-095.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: This is the second of two scheduled public hearings
regarding the proposed Arroyo Sorrento Assessment District No.
4077. Following public testimony at today's meeting, the Council
will consider and may confirm the proposed assessments. (1913
Improvement Act).

(See City Manager Report CMR-96-118. Carmel Valley
Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt
the following Resolution:

(R-97-) CONTINUED TO SEPTEMBER 17, 1996

Considering the protests, confirming the assessments, and
ordering the improvements in the matter of the Arroyo
Sorrento Assessment District No. 4077.

CITY MANAGER SUPPORTING INFORMATION:

Arroyo Sorrento Road, Via Del Mar, Tierra Del Sur, and Arroyo
Sorrento Place are unpaved streets that serve an area of the City
located east of Interstate 5 and south of Carmel Valley Road.
This area was annexed to the City from the County in 1958. A
petition to construct street improvements by means of a 1913 Act
Assessment District was signed by the owners of 89.4 percent of
the land area subject to assessment. A second petition was
circulated and filed to specifically request that the street
improvement project include the undergrounding of overhead

utility lines. On June 11, 1996, the City Council adopted Resolution of Intention R-287502, as amended, to delete the underground utility portion and to continue with the remainder focusing on the road paving portion.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A008-A019; A039-095.)

CONSENT MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 17, 1996, AS REQUESTED BY MAYOR GOLDING. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Seven actions related to the Final Subdivision Map of Stonecrest Village Unit No. 1 and Street Vacation of Daley Center Drive. (A 7-lot subdivision, located west of Daley Center Drive. Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-69) ADOPTED AS RESOLUTION R-287756

Vacating the westerly excess portion of Daley Center Drive north and south of Stonecrest Boulevard in connection with Stonecrest Village TM-95-0204, under the procedure for the summary vacation of streets.

Subitem-B: (R-97-71) ADOPTED AS RESOLUTION R-287757

Authorizing a Subdivision Improvement Agreement with California Pacific Homes, Inc., for the installation and completion of public improvements. (Stonecrest Village Company, L.L.C.)

Subitem-C: (R-97-70) ADOPTED AS RESOLUTION R-287758

Approving the final map.

Subitem-D: (R-97-72) ADOPTED AS RESOLUTION R-287759

Authorizing an agreement with Stonecrest Village Company L.L.C., for traffic signalization improvement at the intersection of Stonecrest Boulevard and West Canyon Avenue.

Subitem-E: (R-97-73) ADOPTED AS RESOLUTION R-287760

Authorizing an agreement with Stonecrest Village Company L.L.C., for the contribution of funds towards the construction of a southbound Interstate 15 auxiliary lane between Murphy Canyon Road southbound on-ramp and Friars Road.

Subitem-F: (R-97-74) ADOPTED AS RESOLUTION R-287761

Authorizing an agreement with Stonecrest Village Company L.L.C., for landscape maintenance in connection with Stonecrest Village Unit No. 1.

Subitem-G: (R-97-75) ADOPTED AS RESOLUTION R-287762

Authorizing an agreement with Stonecrest Village Company L.L.C., for the improvement of Aero Drive and Interstate 15.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of the westerly excess portion of Daley Center Drive has been requested by the developer in connection with the final map for Stonecrest Village Unit No. 1 (TM-95-0204). The project area is located in the Kearny Mesa Community Plan Area and is within the R-1500 Zone. The tentative map and planned residential development permit for Stonecrest Village was approved by City Council on January 30, 1996. The area of vacation totals 0.830 acres and will be consolidated into Lots 2, 3, and 4 of the final map. The future development of the subdivision is regulated by the conditions of the associated Planned Residential Development Permit PRD-95-0204. The Kearny Mesa Community Planning Group voted unanimously to recommend approval of the street vacation on June 26, 1996. The area proposed for vacation is now considered excess and surplus to the needs of the public. The excess right-of-way was created when Daley Center Drive was down graded from a six lane major street to a four lane major street at its intersection with Stonecrest

Boulevard as a two-lane collector street south of the intersection as depicted in the Community Plan Amendment approved by City Council on February 12, 1996. The excess right-of-way is unimproved and does not support public utilities or franchise facilities so easement reservations are not required. The remaining portion of Daley Center Drive is partially improved with additional improvements to be constructed in conjunction with this subdivision. Staff review of this vacation has indicated that the four required findings of vacation can be made and that the excess right-of-way proposed for vacation may be summarily vacated.

FILE LOCATION: Subitem A: DEED F-6812; STRT J-2849;
Subitems B,C: SUBD - Stonecrest Village
Unit No. 1; Subitems D,E,F,G:
DEVELOPMENT - Stonecrest Village Company
L.L.C. DEEDFY97-1 CONTFY97-5

COUNCIL ACTION: (Tape location: A151-304.)

Hearing began at 10:18 a.m. Hearing halted at 10:30 a.m.
Testimony in favor by Jim Omsberg.

MOTION BY McCARTY TO ADOPT SUBITEMS A,B,C,D,E,F, AND G, WITH
THE CITY MANAGER TO COME BACK WITH A TIMELINE AND FUNDING
IDEAS FOR THE I-15 AUXILIARY LANE. Second by Stallings.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Resolution of Intention to Vacate Streets and Alleys
Within the United States Navy Bayview Housing Complex.

(Skyline/Paradise Hills Community Area.
District-4).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-142) ADOPTED AS RESOLUTION R-287763

Resolution of Intention to vacate multiple streets consisting of Alleghany Court, Bairoka Drive, Bataan Circle, Boxer Road, Chenango Place, Guadalcanal Road, Hornet Drive, Rendova Place, Saipan Drive, Wasp Drive and alleys, all located within the United States Navy Bayview Housing Complex; and fixing a time and place for a public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the adoption of a Resolution of Intention to establish a time and date for a public hearing concerning the street vacation action for the United States Navy Bayview Housing Complex.

A projected hearing date of September 10, 1996 at 10:00 a.m. has been selected for City Council consideration of the street vacation, and certification of Final Environmental Analysis for the United States Navy Bayview Housing Complex.

It is therefore recommended that the City Council adopt the Resolution of Intention in order to accommodate the prospective hearing date regarding the proposed street vacation.

FILE LOCATION: DEED F-6813; STRT - J-2850 DEEDFY97-1

COUNCIL ACTION: (Tape location: A039-095.)

Hearing began at 10:08 a.m. Hearing halted at 10:15 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Vacating Hoss Court, Masher Court, and Excess Portion of Sequence Drive and Drainage and Sewer Easements within Lots 10-17 and Lot B of Lusk Mira Mesa Business Park East II,

Map-12642. (Kearny Mesa Community Plan Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-152) ADOPTED AS RESOLUTION R-287764

Vacating Hoss Court and Masher Court north of Sequence Drive, the excess portion of Sequence Drive adjacent to Lots 10, 11, 13, 14, and 17 of Lusk Mira Mesa Business Park East II, Map-12642, a Pedestrian Non-Motor Vehicular Right-of way, and Sewer and Drainage Easements, under the procedure for the summary vacation of streets;

Declaring that this resolution shall not become effective unless and until the consolidation parcel map is filed within three (3) years, or this resolution shall become void and of no further force or effect;

Directing the City Engineer to advise the City Clerk of the completion of the conditions stated within this resolution and to then be recorded with the County Recorder.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of Hoss Court, Masher Court, an excess portion of Sequence Drive, a Pedestrian Non-Motor Vehicular Right-of-way, and drainage and sewer easements have been requested by the abutting property owner to facilitate development. The developer, General Instruments Corporation, proposes the consolidation/lot-line adjustment of Lots 10 through 17 of Mira Mesa Business Park East II, Map-12685 with the subject vacation areas for the development of a future research and development campus. The areas of vacation are situated in the M-1-A and M-1-B zones and are located in the Mira Mesa Community Plan Area. The areas of vacation total approximately 2.40 acres. The future development of the property is subject to the design guidelines of the Lusk Mira Mesa Business Park East as established and governed through PID Permit PID-88-0499.

The rights of way proposed for vacation are unimproved but have been bonded for through the subdivision process. It has been determined through staff's review that Sequence Drive may be reduced to a 58 foot width provided that on street parking is

prohibited. The adjacent properties will provide sufficient off-street parking to serve their developments. The cul de sacs, Hoss Court and Masher Court, are also proposed for vacation. The areas of vacation would be consolidated with adjacent property for future development. A consolidation/lot line adjustment parcel map is required to prevent land locking of parcels. In addition, a replacement alignment would be dedicated on the consolidation/lot-line adjustment parcel map to accommodate the realignment of the Pedestrian Non-Motor Vehicular right-of-way. The existing public utilities will be provided with easements on the parcel map.

Staff review of the proposed street vacations has indicated that the required findings for vacation can be made and that the rights-of-way proposed for vacation may be vacated upon the approval and filing of a consolidation/lot-line adjustment parcel map.

FILE LOCATION: DEED F-6814; STRT J-2848 DEEDFY97-1

COUNCIL ACTION: (Tape location: A039-095.)

Hearing began at 10:08 a.m. Hearing halted at 10:15 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Proposal to amend the Montgomery Field Comprehensive Land Use Plan (CLUP) and to amend the Kearny Mesa Community Plan to reflect the proposed changes to the Montgomery Field Comprehensive Land Use Plan (CLUP), subject to the approval of the regional Airport Land Use Commission's amendment to the Montgomery Field Comprehensive Land Use Plan. The following options are to be considered by Council:

Option 1: Clarify and distinguish Flight Activity Zones from Clear Zones; Reduce the Flight Activity Zone and clear zone of Runway 10L from 1700' in length to 1000' in length.

Option 2: (City Manager's Recommendation)
Clarify and distinguish Flight Activity Zones from
Clear Zones; Reduce the Flight Activity Zone of
Runway 10L from 1700' in length to 1000' in
length. Retain the current 1700' length of the
Clear Zone.

(Kearny Mesa and Serra Mesa Community Areas.
Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to reflect Option 2 above:

(R-96-1588 Corr. 8/27/96) ADOPTED AS RESOLUTION R-287765

Adoption of a Resolution approving an amendment to the
Kearny Mesa Community Plan and supporting an amendment
to the Montgomery Field Comprehensive Land Use Plan.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION

On 5/15/96, LU&H voted 3-0 to approve the City Manager's
recommendation.

Ayes: Councilmembers Mathis, Warden and McCarty

Nays: None

Not Present: Councilmembers Wear and Stevens

CITY MANAGER SUPPORTING INFORMATION:

On November 9, 1993 the City Council considered and continued
proposals to resolve a land use conflict in the "Flight Activity
Zone" of Runway 10L at Montgomery Field Airport. The land use
conflict is due to the Kearny Mesa Community Plan's General
Commercial land use designation of properties in the Flight
Activity Zone, and the Montgomery Field Comprehensive Land Use
Plan which calls for non-commercial ("low intensity") land uses
in the Flight Activity Zone.

These issues were considered by the Land Use and Housing
Committee on May 15, 1996, and Manager's Report P-96-074 was
prepared which recommends:

1) amending the Montgomery Field Comprehensive Land Use Plan and
Kearny Mesa Community Plan to reduce the Flight Activity Zone of
Runway 10L.

2) distinguishing between the Flight Activity Zone and the Runway
Protection Zone of Runway 10L. The proposed amendments would be

subject to the approval of SANDAG, acting as the regional Airport Land Use Commission, and would resolve the land use conflict. The Land Use and Housing Committee approved the City Manager's recommendation by a vote of 3-0.

ENVIRONMENTAL IMPACT: The proposed changes to the Montgomery Field Comprehensive Land Use Plan are exempt from the California Environmental Quality Act (CEQA) pursuant to State guidelines, section 15061(b)(3).

The previously prepared Kearny Mesa Environmental Impact Report (DEP-87-0626) and Supplemental Environmental Impact Report (DEP-91-0844) with findings and overriding considerations, was certified by the Council on October 6, 1992 by Resolution No. R-280820.

FILE LOCATION: LAND - KEARNY MESA COMMUNITY PLAN;
MONTGOMERY FIELD COMPREHENSIVE LAND USE
PLAN

COUNCIL ACTION: (Tape location: A311-B153.)

Hearing began at 10:30 a.m. Hearing halted at 11:00 a.m.

Mayor Golding left at 10:46 a.m. and returned at 10:57 a.m.
Council Member Stevens left at 10:50 a.m. and returned at
10:54 a.m.

Testimony in opposition by James Moore.

Testimony in favor by Allen Haynie.

MOTION BY McCARTY TO ADOPT THE MANAGER'S RECOMMENDATION.
Second by Mathis. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-not
present.

Substitute motion by Stallings to have SANDAG update the
Comprehensive Land Use plan, the Montgomery Field
Comprehensive Land Use plan, the Kearny Mesa Community Plan,
and the Airport Land Use plan, so they are all in
conjunction with each other. Second by Mathis. No vote
taken.

ITEM-S500:

(Continued from the meeting of July 30, 1996, Item S500, at Councilmember Mathis's request, for further review.)

SUBJECT: Two actions related to Del Mar Mesa (Subarea V) - Facilities Benefit Assessment.
(See City Manager Report P96-177; LU&H Committee Consultant Analysis LUH-96-5; Public Facilities Financing Plan and Facilities Benefit Assessment Draft; Errata. North City Future Urbanizing Area. District-1.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-97-84) ADOPTED AS RESOLUTION R-287766

Approving the document entitled "Del Mar Mesa (Subarea V of the North City Future Urbanizing Area) Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 1997."

Subitem-B: (R-97-85 Corr. Copy) ADOPTED AS RESOLUTION R-287767

Resolution of Intention to designate an area of benefit in Del Mar Mesa (Subarea V of the North City Future Urbanizing Area) and setting the time and place for holding a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/17/96, LU&H voted 4-0 to approve the City Manager's option 2b, which includes:

- a. Approve the City Manager's recommendations;
- b. Reduce by 20 percent the Open Space Acquisition Fee for any projects in the A-1-1 zone developing at a density no greater than their underlying zone;
- c. Revise Project 43-3 "Shaw Ridge Road - Carmel Country Road to Camino Santa Fe" from "Subdivider" to "FBA" obligation;
- d. Delete Project 43-11 "Hiking/Equestrian Trail - Shaw Valley." (Councilmembers Mathis, Wear, Stevens and McCarty voted

yea. Councilmember Warden not present.)

FILE LOCATION: STRT - FB-16

COUNCIL ACTION: (Tape location: B167-497.)

MOTION BY MATHIS TO ADOPT SUBITEM A, APPROVING THE DOCUMENT ENTITLED "DEL MAR MESA (SUBAREA V OF THE NORTH CITY FUTURE URBANIZING AREA) PUBLIC FACILITIES FINANCING PLAN AND ESTABLISHING THE FACILITIES BENEFIT ASSESSMENT FY1997, AND THAT INCLUDES THE ERRATA THAT STAFF MENTIONED; AND SUBITEM B, RESOLUTION OF INTENTION TO DESIGNATE AN AREA OF BENEFIT OF DEL MAR MESA (SUBAREA V OF THE NORTH CITY FUTURE URBANIZING AREA) SETTING THE TIME AND PLACE FOR HOLDING A PUBLIC HEARING ESTABLISHING ACTUAL RATES, AND TO APPROVE THE CITY MANAGER'S RECOMMENDATION ABOUT SHAW RIDGE ROAD OUTSIDE THE FACILITIES BENEFIT ASSESSMENT, WHILE MAINTAINING ADEQUATE WEST TO EAST ACCESS IN PHASE I, BUT ALLOWING CONSIDERATION OF CUL-DE-SACS IN PHASE II OF THE DEL MAR MESA SPECIFIC PLAN. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-CS-1: (R-97-168) ADOPTED AS RESOLUTION R-287768

A Resolution adopted by the City Council in Closed Session on August 6, 1996:

Authorizing the City Manager to pay the sum of \$92,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from a property damage claim of the First Baptist Church of Pacific Beach, as a result of an incident which occurred on November 13, 1994; authorizing the City Auditor and Comptroller to issue one check, in the amount of \$92,500.00, made payable to Luth & Turley, Inc., in full settlement of all claims. Aud. Cert. No. 9700127

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:28 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B498-529).